

Sloane, rejected claims 9 and 17 as obvious over the reference to *Small* in view of *Toader*.

35 U.S.C. §103(a)

The U.S. Patent reference to *Small* discloses playing bingo or kino using product categories to select spaces on the playing board and providing refunds, rebates or discounts to customers for those product categories. Rebate forms and coupons are downloaded to the users' computer while playing the bingo or kino game. The reference to *Small* does not disclose the use of a unique code or personal identification number nor is there a disclosure in the *Small* reference of a sweepstakes promotion.

According to the present invention, each sweepstakes information provided to a purchaser or potential purchaser of a product or service has a unique code along with a network address. Upon obtaining the uniquely coded sweepstakes information, the purchaser or potential purchaser holds a ticket with an opportunity to win a sweepstakes promotion. The unique code provided with the sweepstakes information is utilized by the purchaser or potential purchaser according to the present invention to determine whether each respective unique code is a winner. According to the present invention, the card provided with the network address and unique code are provided to the purchaser whereupon the purchaser accesses the network address and at the network site identified in the address is able to communicate the unique I.D. number or code so as to determine whether this purchaser is the winner of the sweepstakes. The feedback to the purchaser as to the purchaser's winning or losing status is immediate. Simultaneously, the operator of the sweepstakes is not required to man telephones or mail receiving centers to monitor incoming communications and

communicate winning or losing status, check entries or otherwise fulfill the requirements of the sweepstakes. The network address provides the operator of the sweepstakes with an opportunity to collect information from the purchaser which may be used by the operator of the sweepstakes to more effectively promote products. The *Small* reference fails to disclose or suggest any of these features. The invention as claimed provides for unique code numbers on the cards. In view of the failure of the *Small* reference to disclose or suggest such unique code numbers and to suggest the operation of a sweepstakes through a network connection, the invention as claimed is non-obvious over the *Small* patent.

The *Dickert* reference has been cited in combination with *Small*. In *Dickert*, a container structure for a product is provided with a pouch for promotional or visual material, the container being in the form of a bag with a clear outer pouch formed on its face panel. When considered in combination with *Small*, *Dickert* does not teach or suggest a unique code number on a card offered with a product or service nor the operation of a sweepstakes through a network connection.

The *Toader* patent has also been cited in combination with *Small* and *Dickert*. *Toader* discloses a method for providing online help services to customers for a limited time through an internet connection. A floppy disk is provided to the customer for accessing the internet service using a personal computer, the floppy disk including a unique personal identification number. The personal identification number provides the access to the online help service and times the limited pre-paid use.

Even when considered in combination with *Dickert* and *Small*, the *Toader* reference fails to suggest providing a card with a unique code number and an internet address to promote a product via a sweepstakes on a network. The users of the personal identification number in *Toader* are provided with a limited time online help service to answer questions relating to the product. The *Toader* reference does not suggest the operation of a sweepstakes using such personal identification number.

Accordingly, the present invention is a non-obvious improvement over even the combination of these references.

The *Sloane* reference is cited in combination with *Small*. In *Sloane*, a portable bar code scanner is provided to the user in a store or retail environment and the user scans products in the store to determine if the scanned product is under a promotion. The bar code scanner attempts to influence the purchaser's decision by offering promotional prices based on the consumer's past purchase history.

When considered in combination with *Small*, *Sloane* does not disclose or suggest a sweepstakes over a network using a unique code number provided on a code in conjunction with the sale of a product or service.

Accordingly, the invention is a non-obvious improvement over the combination of art cited in the action.

Conclusion

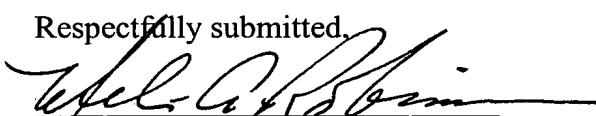
Each of the rejections has been addressed as set forth above and the invention as

defined in the claims has been shown to patentably distinguish over the references, taken alone or in combination.

The present invention provides a new and non-obvious improvement over the prior art wherein the running of a sweepstakes is automated over a network connection utilizing a unique code number provided to the purchaser at the time of purchase along with a network address at which the purchasers information is gathered by the operator of the sweepstakes and the purchaser is informed immediately of his or her winning or losing status. The present invention may be utilized with the sale of a product wherein the card is incorporated into the product package or as a part of the product package, or may be provided to the purchaser at the time of the purchase of a service, such as in a receipt, ticket or other purchase token.

Early favorable reconsideration and allowance of the present application in view of the foregoing is hereby respectfully requested.

Respectfully submitted,



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on December 6, 1999.



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